

**To:** Higginbotham, Paul[PHIGGINB@idem.IN.gov]  
**Cc:** chess@idem.IN.gov[chess@idem.IN.gov]; Dittmer, Jerry[JDITTMER@idem.IN.gov]; RIGNEY, STAN[SRIGNEY@idem.IN.gov]; Pierard, Kevin[pierard.kevin@epa.gov]; Yedavalli, Sreedevi[yedavalli.sreedevi@epa.gov]; PIGOTT, BRUNO[BPIGOTT@idem.IN.gov]; CLARK METTLER, MARTHA[MCLARK@idem.IN.gov]  
**From:** Ireland, Scott  
**Sent:** Mon 1/26/2015 2:06:30 PM  
**Subject:** RE: final FFY15 permit review list  
[IN Permits Review List FINAL 1-23-15.xlsx](#)

Paul,

Thanks for the feedback on the list. The four permits you list below have been replaced (with three from your list). These are focused on majors in the Lake Michigan basin. The revised list is attached here.

With respect to the 5 GPS listed below as well as Praxair, yes we are on the same page. We have issued you no objection letters on those drafts. We look forward to seeing them once they are off public notice. When the post – public notice proposed permit is submitted please also provide any comments received during the notice period and, if applicable, highlight the changes to the permit.

For new dischargers we are only concerned about majors. By looking at these it is our belief that this will reduce, or possibly eliminate, our need to review these again upon reissuance. Do you expect that there will be many new majors issued this FY?

The 316 reviews are intended to be focused reviews and as we have been working proactively with all the states (Indiana included) on language for facilities with cooling water intake structures we do not anticipate delays in permit issuance based on these reviews. That being said, immediately after decide not to complete a review, we will inform you so as to not hold up issuance of the permit.

Sincerely,

Scott Ireland

D. Scott Ireland

Chief, Section 1

NPDES Programs Branch

77 West Jackson Blvd., MC: WN-16J

Chicago, IL 60604

(312) 886-8121

[Ireland.Scott@epa.gov](mailto:Ireland.Scott@epa.gov)

**From:** Higginbotham, Paul [mailto:PHIGGINB@idem.IN.gov]

**Sent:** Friday, January 16, 2015 12:36 PM

**To:** Ireland, Scott

**Cc:** chess@idem.IN.gov; Dittmer, Jerry; RIGNEY, STAN; Pierard, Kevin; Yedavalli, Sreedevi; PIGOTT, BRUNO; CLARK METTLER, MARTHA

**Subject:** RE: final FFY15 permit review list

Scott –

We will need to talk, but we will also need adjustments to the list:

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**IDEM requests that the following permits on the list be replaced because they have either been issued or Public Noticed:**

LaPorte – PNed 12/10/14;

Decatur – Issued 1/16/15;

Brazil – PNed 12/24/14; and

Michigan City – Issued 1/16/15.

(there are plenty of others to choose from)

**I want to make sure that we are on the same page with the following:**

Praxair – EPA has reviewed, issued a non-objection letter, on PN;

Petroleum Contaminated GW Remediation GP – EPA reviewed, issued non-objection letter, on PN;

Non-Contact Cooling Water GP- EPA reviewed, issued non-objection letter, on PN;

Petroleum Products Terminals GP – EPA reviewed, issued non-objection letter, on PN;

Sand and Gravel GP – EPA reviewed, issued non-objection letter, on PN; and

Hydrostatic Test Water GP – EPA reviewed, issued non-objection letter, on PN.

**Few other items:**

Your email said, "As always, . . . and any individual permits being issued to a new discharger." This has not been the case in the past and is new. I would like a little more background for the reason on this request.

I know that I have mentioned this in the past, but I want to reiterate that I have concerns with EPA's request to look at all 316 issues in Region 5, I just really don't think you guys have the staff to keep up with all the reviews across the Region w/o causing potentially significant delays to permit issuance (we love working with Sean and he is great, but one person cannot do it all w/o time becoming an issue). I cannot speak for other states, but on 316(a) related issues Indiana has developed a Guidance Manual for this activity from start to finish and that should be factored into what EPA Region 5 does and does not review. Instead of reviewing all 316 issues, I would recommend that EPA Region 5 take an "Audit" approach and review a couple of each for consistency.

I don't have the MOA handy, what is the review time period noted in it?

Thanks.

**From:** Ireland, Scott [<mailto:ireland.scott@epa.gov>]  
**Sent:** Thursday, January 15, 2015 12:11 PM  
**To:** Higginbotham, Paul  
**Cc:** Hess, Catherine; Dittmer, Jerry; RIGNEY, STAN; Pierard, Kevin; Yedavalli, Sreedevi  
**Subject:** RE: final FFY15 permit review list

Greetings all. Attached is the FFY 15 permits we will be reviewing. As always, we will review all general permits and any individual permits being issued to a new discharger.

Similar as last year, for each of the permits selected for review, to the extent possible, we will ask you to **provide searchable electronic versions** of the following documents **to our new centralized email account at [r5npdes@epa.gov](mailto:r5npdes@epa.gov) and Sreedevi Yedavalli:**

1. Previous final permit including any modifications;
2. The draft permit;
3. Permit application;
4. The Fact Sheet;
5. The public notice (depending at what stage the permit is in);
6. Any other state specific documents that you normally include or would be needed to understand the basis for effluent limitations and conditions in the permit (example: Illinois— permit writer's notes); and
7. Any 316 related submissions.

If we review a draft permit, we will also expect to receive the post – public notice proposed permit along with any comments received during the notice period to close out our review. We are also interested in any appeals of permits that we have reviewed.

Finally, while we will make a good faith effort to identify all the permits that we would like to review this FY, we reserve the right to review additional permits as needed to address issues that come up during the year such as Congressional or interstate interest.

We will adhere to the review time periods identified in our MOA and **will consider them to start when we receive the complete review package.**

We look forward to working with you as you issue great permits. **If you have any questions please contact me.**

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Additionally, I am going to set up a monthly call with you to check in on the status of our reviews as well as updates from you on when we can expect to receive drafts. Please identify a date/time that we can set up a recurring meeting (i.e., last Thursday of month, etc.).

Sincerely,

Scott Ireland

D. Scott Ireland

Chief, Section 1

NPDES Programs Branch

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[Ireland.Scott@epa.gov](mailto:Ireland.Scott@epa.gov)

**From:** Higginbotham, Paul [<mailto:PHIGGINB@idem.IN.gov>]  
**Sent:** Friday, December 05, 2014 8:12 AM  
**To:** Ireland, Scott  
**Cc:** [chess@idem.IN.gov](mailto:chess@idem.IN.gov); Dittmer, Jerry; RIGNEY, STAN  
**Subject:** Permit List thru 9/30/2015

Scott – Per your request, here is the list of permits that IDEM will be working on between now and 9/30/15. Our goal is to issue all permits prior to expiration date. I am sure some may go over, but if they do we try to keep that admin. extended time as low as possible. This list does not include pre-treatment permits.

Thanks.

**From:** Hess, Catherine  
**Sent:** Friday, December 05, 2014 8:26 AM  
**To:** Higginbotham, Paul  
**Subject:** RE: ? re List thru 9/30/2015

OK, here you go. There are 165 on the list. It is sorted by expiration date and I used blue bold font to show the 30 majors on the list. About 74 of the 165 are currently inhouse. This is signified by “PEN” in the “AppStatus” column. If not yet received, it says “NYR”.